

NPDES Permit No. IL0004189
Notice No. 6710c

Public Notice Beginning Date: **December 8, 2015**

Public Notice Ending Date: **January 8, 2015**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Renewed NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water, Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

Name and Address of Discharger:

Independence Material Handling, LLC
7100 Eagle Crest Boulevard, Suite 200
Evansville, IN 47715-8152

Name and Address of Facility:

Independence Material Handling, LLC
Shawneetown Dock
Rt. 1 Market Street
Shawneetown, Illinois 62984
Southeast edge of Old Shawneetown, Illinois
(Gallatin County)

The Illinois Environmental Protection Agency (IEPA or Agency) has made a tentative determination to issue an NPDES permit to discharge into waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. Comments will be accepted until midnight of the Public Notice period ending date indicated above, unless a request for an extension of the original comment period is granted by the Agency. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name, address and the nature of the issues and the evidence supporting those issues. Commentors may include a request for public hearing. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

As provided in 35 Ill. Adm. Code 309.115(a), any person may submit a request for a public hearing and if such written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. The Agency shall issue public notice of such hearing no less than thirty (30) days prior to the date of such hearing in the manner described by 35 Ill. Adm. Code 309.109 through 309.112 for public notice. The Agency's responses to written and/or oral comments will be provided in the Responsiveness Summary provided when the final permit is issued.

The applicant operates an existing coal storage and river dock facility (SIC 4491). Coal storage and transfer operations result in the discharge of acid mine drainage.

Public comments are invited on the entire draft permit.

This facility has one (1) existing discharge which is located in Gallatin County, Illinois. The following information identifies the discharge points, receiving streams, and stream classifications:

<u>Outfall</u>	<u>Receiving Stream</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
001	Unnamed tributary to Ohio River	37° 41' 55"	88° 09' 16"

The stream segment of Ohio River receiving the flow from the unnamed tributary into which Outfall 001 discharges is not on the 2012 and draft 2014 303(d) list of impaired waters.

The acid mine discharge from this facility shall be monitored and limited at all times as follows:

Outfall: 001

Discharge Condition	Parameters											
	Total Suspended Solids (3) (mg/l)		Iron (total) (3) (4) (mg/l)		pH (3) (S.U.)	Alkalinity/ Acidity (3)	Sulfate (1) (mg/l)	Chloride (mg/l)	Mn (total) (mg/l)	Hardness (5)	Flow (MGD)	Settleable Solids (2) (ml/l)
	30 day average	daily maximum	30 day average	daily maximum								
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1497	500	1.0	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1497	500	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1497	500	-	Monitor only	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1497	500	1.0	Monitor only	Measure When Sampling	-

- I Dry weather discharge (base flow or mine pumpage) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.110(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 1-year, 24-hours precipitation event, but less than or equal to the 10-year, 24 hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 1-year, 24-hour precipitation event for this area is considered to be 2.97 inches.
- III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hours precipitation event for this area is considered to be 5.21 inches.
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.
- (1) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).
- (2) Settleable solids are monitored only as a result of a discharge due to precipitation events which exceed a predetermined 24-hour duration or snowmelt total. Settleable solids effluent limitations for acid mine drainage discharges are contained in 35 Ill. Adm. Code 406.110(b), (c), and (d).
- (3) Effluent limitations for mine discharges are contained in 35 Ill. Adm. Code 406.106.
- (4) Discharges from Outfall 001, being approved prior to July 27, 1987, are subject to a 30-day average effluent limitation for Iron of 3.5 mg/l. Daily maximum effluent concentrations are calculated as twice the 30-day average.
- (5) Hardness monitoring is required to determine the appropriateness of the sulfate permit limitation.

To assist you in identifying the location of the discharges, please refer to the attached map. The permit area for this facility is located in Sections 25 and 36, Township 9 South, Range 9 East, and Section 6, Township 10 South, Range 10 East, and Section 31, Township 9 South, Range 10 East, 3rd P.M., Gallatin County, Illinois.

Independence Material Handling, L.L.C. - Shawneetown Dock

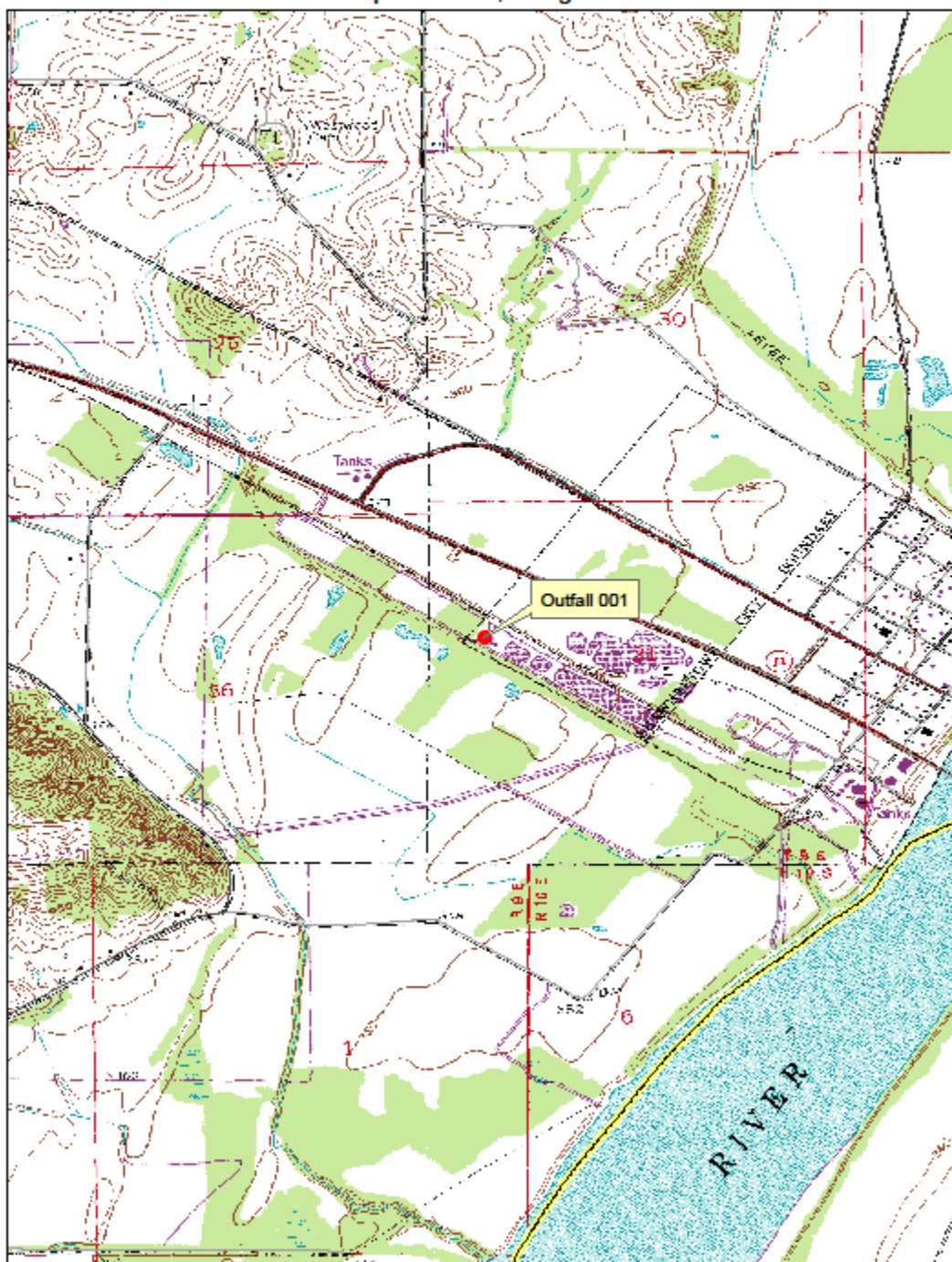
NPDES No. IL0004189

Gallatin County

Township 9 South, Range 9 Esat

Township 9 South, Range 10 East

Township 10 South, Range 10 East



NPDES Permit No. IL004189

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue, East

P.O. Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Renewed NPDES Permit

Expiration Date:

Issue Date:

Effective Date:

Name and Address of Permittee:

Facility Name and Address:

Independence Material Handling, LLC
7100 Eagle Crest Boulevard, Suite 200
Evansville, IN 47715-8152

Independence Material Handling, LLC
Shawneetown Dock
Rt. 1 Market Street
Shawneetown, Illinois 62984
Southeast edge of Old Shawneetown, Illinois
(Gallatin County)

Discharge Number and Classification:

Receiving waters

001 Acid Mine Drainage

Unnamed tributary to Ohio River

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Joseph D. Stitely, P.E., Acting Permit Manager
Mine Pollution Control Program
Bureau of Water

JDS:DM:cs/6710c/10-14-15

NPDES Coal Mine Permit
NPDES Permit No. IL0004189
Effluent Limitations and Monitoring

From the effective date of this Permit until the expiration date, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall*: 001 (Acid Mine Drainage)

Discharge Condition	Parameters											
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***	Hardness ***	Flow (MGD)	Settleable Solids (ml/l)
	30 day average	daily maximum	30 day average	daily maximum								
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1497	500	1.0	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1497	500	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1497	500	-	Monitor only	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1497	500	1.0	Monitor only	Measure When Sampling	-

- I Dry weather discharge (base flow or mine pumpage) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.110(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 1-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 1-year, 24-hour precipitation event for this area is considered to be 2.97 inches.
- III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 5.21 inches.
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method.

*** There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during either Discharge Condition I or IV should such discharge condition occur. A "no flow" situation is not considered to be a sample of the discharge. In the event that Discharge Conditions II and/or III occur, grab sample of each discharge caused by the above precipitation events (Discharge Conditions II and/or III) shall be taken and analyzed for the parameters identified in the table above during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). Should a sufficient number of discharge events occur during the quarter, the remaining three (3) quarterly samples may be taken during any of the Discharge Conditions described above.

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfall 001 and unnamed tributary to Ohio River receiving such discharges.

** No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Coal Mine Permit
NPDES Permit No. IL0004189
Effluent Limitations and Monitoring

Upon completion of Special Condition 10 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall*: 001 (Reclamation Area Drainage)

Discharge Condition	Parameters					
	pH** (S.U.) ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Hardness ***	Flow (MGD)	Settleable Solids (ml/l) ***
I	6.5-9.0	1497	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	1497	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	1497	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	1497	500	Monitor only	Measure When Sampling	0.5

- I Dry weather discharge (base flow, if present) from the outfall.
- II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 5.21 inches.
- III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).
- IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method. A "no flow" situation is not considered to be a sample of the discharge.

*** One sample per month (1/month) shall be collected if and/or when a discharge occurs under either Discharge Condition I, II or IV and analyzed for the parameters identified in the table above. In addition, at least three (3) grab samples shall be taken each quarter from separate precipitation events under Discharge Condition III and analyzed for parameters indicated in the above table. For quarters in which there are less than 3 such precipitation events, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

* The Permittee is subject to the limitations, monitoring, and reporting requirements of Special Condition No. 13 for the discharges from Outfall 001 and unnamed tributary to Ohio River receiving such discharges.

** No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Coal Mine Permit
NPDES Permit No. IL0004189
Effluent Limitations and Monitoring

Upon completion of Special Condition No. 11 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall: 001 (Stormwater Discharge)

Parameters	
pH* (S.U.) 1/year	Settleable Solids (ml/l) 1/year
6.0-9.0	0.5

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted annually by the 1st of August.

Annual stormwater monitoring is required for all discharges until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

* No discharge is allowed from any above referenced permitted outfalls during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Permit No. IL0004189

Construction Authorization No. 5132-13

C.A. Date: March 24, 2015

Authorization is hereby granted to the above designee to construct and operate the coal storage and transfer facility described as follows:

An existing barge transfer facility consisting of 81 acres located in Sections 25 and 36, Township 9 South, Range 9 East, Section 6, Township 10 South, Range 10 East and Section 31, Township 9 South, Range 10 East, 3rd P.M., Gallatin County, Illinois.

All surface drainage from 81 acres permitted herein and an additional 15 acres of the adjacent Shawneetown Port Authority stacker facility is collected and treated prior to discharge through Outfall 001. The treatment and discharge control consists of a 4-cell series sediment pond. Runoff water will be pumped and treated as required in accordance with Condition No. 9. Treated water will then be pumped from Cell 4 and discharged over the levy through an existing pipeline.

Outfall 001 is classified as acid mine drainage and reports to an unnamed tributary to the Ohio River.

Location and receiving streams of the Outfalls at this facility are as follows:

Outfall Number	Latitude			Longitude			Receiving Waters
	DEG	MIN	SEC	DEG	MIN	SEC	
001	37°	41'	55"	88°	09'	16"	Unnamed tributary to Ohio River

No refuse may be disposed within this permit area.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109.

In the event that coal ceases to be transferred at this facility, with the facility continuing to handle other commodities, abandonment for the purpose of this permit shall consist of the removal and proper disposal of all coal and coal residues. This does not; however, relieve the Applicant from obtaining other appropriate permit(s) required by this agency or other agencies requiring such. Should this facility cease to handle coal and all other commodities, abandonment shall consist of the removal of all structures and appurtenances and covering of all coal and coal residues with four (4) feet of non-toxic, non-combustible material.

This Construction Authorization supersedes and replaces Construction Authorization No. 4050-04 previously issued for the herein permitted facilities and activities.

All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.202. For the constituents not covered by 35 Ill. Adm. Code Parts 302 or 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

This Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.
2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.
3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit in the records of the Agency.
4. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Agency and a supplemental permit issued.
5. The permit holder shall notify the Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by 35 Ill. Adm. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)

NPDES Permit No. IL0004189

Construction Authorization No. 5132-13

C.A. Date: March 24, 2015

6. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.
7. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, for the parameters designated as 1M through 15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet the standards of 35 Ill. Adm. Code 406.106, a Supplemental Permit must be obtained. Discharge from ponds is not allowed unless applicable effluent and water quality standards are met in the basin discharge(s).
8. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/l). The type of drainage reporting to the basin should be reclassified in a manner consistent with the applicable provisions of 35 Ill. Adm. Code Part 406. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.
9. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below
 - a. Alum ($\text{Al}_2(\text{SO}_4)_3$), hydrated lime ($\text{Ca}(\text{OH})_2$), soda ash (Na_2CO_3), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.
 - b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of 35 Ill. Adm. Code parts 302, 304, and 406.
10. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application.
11. Any of the following shall be a violation of the provisions required under 35 Ill. Adm. Code 406.202:
 - a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
 - b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
 - c. The Agency determines that the permittee is not utilizing Good Mining Practices in accordance with 35 Ill. Adm. Code 406.204 which are fully described in detail in Sections 406.205, 406.206, 406.207 and 406.208 in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. To the extent practical, such Good Mining Practices shall be implemented to:
 - i. Stop or minimize water from coming into contact with disturbed areas through the use of diversions and/or runoff controls (Section 406.205).
 - ii. Retention and control within the site of waters exposed to disturbed materials utilizing erosion controls, sedimentation controls, water reuse or recirculation, minimization of exposure to disturbed materials, etc. (Section 406.206).
 - iii. Control and treatment of waters discharged from the site by regulation of flow of discharges and/or routing of discharges to more suitable discharge locations (Section 406.207).
 - iv. Utilized unconventional practices to prevent the production or discharge of waters containing elevated contaminant concentrations such as diversion of groundwater prior to entry into a surface or underground mine, dewatering practices to remove clean water prior to contacting disturbed materials and/or any additional practices demonstrated to be effective in reducing contaminant levels in discharges (Section 406.208).

NPDES Permit No. IL0004189

Construction Authorization No. 5132-13

C.A. Date: March 24, 2015

12. The Sedimentation Pond shall be cleaned out when one-half the design sediment storage is filled. In no case shall the level of sediment accumulate to within one (1) foot of the invert elevation of the riser.

NPDES Permit No. IL0004189

Special Conditions

Special Condition No. 1: No effluent from any mine related facility area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in the Illinois Pollution Control Board Rules and Regulations, Subtitle C: Water Pollution.

Special Condition No. 2: Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

Special Condition No. 3: All periodic monitoring and reporting forms, including Discharge Monitoring Report (DMR) forms, shall be submitted to the Agency according to the schedule outlined in Special Condition No. 4 or 5 below with one (1) copy forwarded to each of the following addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Ave., East
P.O. Box 19276
Springfield, IL 62794-9276

Illinois Environmental Protection Agency
Mine Pollution Control Program
2309 West Main Street, Suite 116
Marion, Illinois 62959

Attn: Compliance Assurance Section

The Permittee may choose to submit electronic DMRs (NetDMR) instead of submitting paper DMRs. Information, including registration information for the NetDMR program can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

Should electronic filing (NetDMR) be elected for DMR monitoring and reporting requirements, a written notification shall be submitted to the Mine Pollution Control Program at the Marion, Illinois address indicated above that such electronic monitoring has been elected providing an indication of the date and/or quarter in which this electronic filing will be initiated.

Special Condition No. 4: Completed Discharge Monitoring Report (DMR) forms and as well as upstream and downstream monitoring results, shall be retained by the Permittee for a period of three (3) months and shall be mailed and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	May 1
April, May, June	August 1
July, August, September	November 1
October, November, December	February 1

The Permittee shall record discharge monitoring results on Discharge Monitoring Report (DMR) forms using one such form for each Outfall and Discharge Condition each month. In the event that an Outfall does not discharge during a monthly reporting period or under a given Discharge Condition, the DMR form shall be submitted with "No Discharge" indicated.

In the event that electronic filing is being utilized, any and all monitoring results, other than NPDES outfall discharge results reported through NetDMR, shall be submitted to the Agency at the addresses indicated in Special Condition No. 3 above.

Special Condition No. 5: Completed periodic monitoring and reporting, other than DMR's and stream monitoring (i.e., groundwater monitoring, coal combustion waste analysis reports, etc.), shall be retained by the Permittee for a period of three (3) months and shall be mailed and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	May 1
April, May, June	August 1
July, August, September	November 1
October, November, December	February 1

Special Condition No. 6: The Agency may revise or modify the permit consistent with applicable laws, regulations or judicial orders.

Special Condition No. 7: If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

NPDES Permit No. IL0004189

Special Conditions

Special Condition No. 8: The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D.

Special Condition No. 9: Plans must be submitted to and approved by this Agency prior to construction of a sedimentation pond. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet these standards, a Supplemental Permit must also be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

Special Condition No. 10: The special reclamation area effluent standards of 35 Ill. Adm. Code 406.109 apply only on approval from the Agency. To obtain approval, a request form and supporting documentation shall be submitted to request the discharge be classified as a reclamation area discharge. The Agency will notify the permittee upon approval of the change.

Special Condition No. 11: The special stormwater effluent standards apply only on approval from the Agency. To obtain approval, a request with supporting documentation shall be submitted to request the discharge to be classified as a stormwater discharge. The documentation supporting the request shall include analysis results indicating the discharge will consistently comply with reclamation area discharge effluent standards. The Agency will notify the permittee upon approval of the change.

Special Condition No. 12: Annual stormwater monitoring is required for all discharges not reporting to a sediment basin until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

- A. Each discharge must be monitored for pH and settleable solids annually.
- B. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.
- C. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Special Condition No. 13: Sediment Pond Operation and Maintenance (Outfall 001):

- a. For discharges resulting from precipitation events, in addition to the alternate effluent (Discharge Condition Nos. II and III) monitoring requirements, as indicated on the applicable effluent pages of this Permit, discharges from Outfall 001 shall be monitored and reported for Discharge Rate, Sulfate, Chloride and Hardness.
- b. The following sampling and monitoring requirements are applicable to flow in the unnamed tributary to Ohio River which receives discharges from Outfall 001.
 - i. All sampling and monitoring required under 13(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.
 - ii. Unnamed tributary to Ohio River shall be monitored and reported quarterly for Discharge Rate, Chloride, Sulfate and Hardness downstream of the associated outfall. This downstream monitoring shall be performed a sufficient distance downstream of the associated outfall to ensure that complete mixing has occurred. At such time that sufficient information has been collected regarding receiving stream flow characteristics and in-stream contaminant concentrations the permittee may request a re-evaluation of the monitoring frequency required herein for possible reduction or elimination. For the purpose of re-evaluating the downstream monitoring frequency of the receiving stream, "sufficient information" is defined as a minimum of ten (10) quarterly sampling events.

In the event that downstream monitoring of the receiving waters is eliminated during the term of this permit based on an evaluation of the quarterly data, a minimum of three (3) additional samples analyzed for the parameters identified above must be submitted with the permit renewal application a minimum of 180 days prior to expiration of this permit.

- iii. Unnamed tributary to Ohio River shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.

NPDES Permit No. IL0004189

Special Conditions

Special Condition No. 14: Data collected in accordance with Special Condition No. 13 above will be utilized to evaluate the appropriateness of the effluent limits established in this Permit. Should the Agency's evaluation of this data indicate revised effluent limits are warranted; this permit may be reopened and modified to incorporate more appropriate effluent limitations. This data will also be used for determination of effluent limitations at the time of permit renewal.